

AGILENT TECHNOLOGIES, INC.  
Legal Department, DL429  
Intellectual Property Administration  
P. O. Box 7599  
Loveland, Colorado 80537-0599

2153  
PATENT APPLICATION *STV*

ATTORNEY DOCKET NO. 10003533-1

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Lance W. Russell

Serial No.: 09/888,544

Examiner: Klinger, Scott M

Filing Date: June 25, 2001

Group Art Unit: 2153

Title: Routing Meta Data for Network File Access

COMMISSIONER FOR PATENTS  
PO Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment ( ) Petition to extend time to respond  
( ) New fee as calculated below ( ) Supplemental Declaration  
(X) No additional fee (Address envelope to "Mail stop Non-Fee Amendments")  
( ) Other: \_\_\_\_\_ (fee \$ \_\_\_\_\_)

| CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY       |  |                        |  |                         |             |                           |
|--|--|------------------------|--|-------------------------|-------------|---------------------------|
| (1)<br>FOR   | (2)<br>CLAIMS REMAINING<br>AFTER AMENDMENT | (3)<br>NUMBER<br>EXTRA | (4)<br>HIGHEST NUMBER<br>PREVIOUSLY PAID FOR | (5)<br>PRESENT<br>EXTRA | (6)<br>RATE | (7)<br>ADDITIONAL<br>FEES |
| TOTAL<br>CLAIMS                                      |  | MINUS                  |  | = 0                     | X \$18      | \$ 0                      |
| INDEP.<br>CLAIMS                                     |  | MINUS                  |  | = 0                     | X \$88      | \$ 0                      |
| [ ] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM |  |                        |  |                         | + \$300     | \$ 0                      |
| EXTENSION<br>FEE                                     | 1ST MONTH<br>\$110.00                      | 2ND MONTH<br>\$430.00  | 3RD MONTH<br>\$980.00                        | 4TH MONTH<br>\$1530.00  |             | \$ 0                      |
| OTHER FEES   |  |                        |  |                         |             | \$                        |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT              |  |                        |  |                         |             | \$ 0                      |

Charge \$ 0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: Jan. 5, 2005

Typed Name: ~~Edouard Garcia~~

Signature: \_\_\_\_\_

Respectfully submitted,

Lance W. Russell

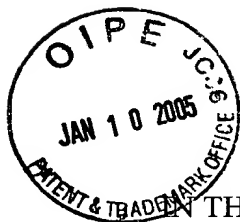
By \_\_\_\_\_

Edouard Garcia

Attorney/Agent for Applicant(s)

Reg. No. 38,461

Date: Jan. 5, 2005



THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Serial No. : 09/888,544  
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Commissioner for Patents  
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RESPONSE TO RESTRICTION REQUIREMENT

In response to the Examiner's action dated December 10, 2004, Applicant provisionally elects with traverse the claims of Group I (claims 1-6, 12-14, 19, and 20). However, as explained in detail below, the restriction requirement is submitted to be improper (I) because the Examiner has failed to establish a *prima facie* case for restricting the claims, and (II) because it would not be a serious burden for the Examiner to examine the entire application on the merits without the Restriction Requirement.

I. THE EXAMINER HAS FAILED TO ESTABLISH A *PRIMA FACIE* CASE FOR RESTRICTING THE CLAIMS

Original claims 1-20 are pending.

The Examiner is requiring restriction of the claims to one of the following claim sets: Group I (claims 1-6, 12-14, 19, and 20); and Group II (claims 7-11 and 15-18).

In support of this restriction requirement, the Examiner has asserted that:

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on:

January 5, 2005

Date

  
(Signature of person mailing papers)

Edouard Garcia

(Typed or printed name of person mailing papers)